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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,905	01/04/2002	Blake L. Reynolds	8614.61	8720
21999	7590	06/17/2005	EXAMINER	
KIRTON AND MCCONKIE 1800 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE P O BOX 45120 SALT LAKE CITY, UT 84145-0120			KARMIS, STEFANOS	
		ART UNIT		PAPER NUMBER
		3624		

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/039,905	REYNOLDS, BLAKE L.
	Examiner	Art Unit
	Stefano Karmis	3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 March 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 and 18-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. The following communication is in response to Applicant's amendment, filed 18 March 2005.

*Status of Claims*

2. Claims 1-12 and 18-23 are previously presented. Claims 13-17 are cancelled. Therefore claims 1-12 and 18-23 are currently pending.

*Response to Arguments*

3. Applicant's arguments, filed 18 March 2005, with respect to the rejection(s) of claim(s) 1-12 and 18-23 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as discussed below:

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for

patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 8-12 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Siegel et al. (hereinafter Siegel) U.S. Publication 2002/0046049.

Regarding claims 1 and 20, Siegel teaches a method for encouraging the presentation of a series of unpaid debts to a collection agency, the method comprising the steps for: receiving a request to collect on an unpaid debt (page 2, paragraph 0028); determining whether to allocate a reward for the unpaid debt, wherein the reward includes a non-monetary incentive (page 4, paragraphs 0046-0047); selectively performing one or more debt collection procedures to collect at least a portion of the unpaid debt (page 4, paragraph 0057); and selectively apportioning the portion of the unpaid debt that has been collected (page 4, paragraph 0057 thru page 5, paragraph 0058).

Claims 2 and 21, wherein the step for determining whether to allocate the reward comprises, determining eligibility for receipt of the reward; and if eligibility exists, allocating the reward (page 4, paragraphs 0046-0048).

Claim 3, eligibility occurs upon education and certification in at least one of: one or more debt collection techniques and one or more techniques to receive rewards for unpaid debts (page 1, paragraph 0003 and page 4, paragraphs 0046-0048).

Claim 4, a reward is provided upon certification (page 4, paragraphs 0046-0048).

Claim 5, a computer device is employed to perform at least one of the steps for: receiving the request, wherein the request is an electronic request; and providing the education (page 4, paragraph 0057).

Claims 6 and 22, the reward includes credit for use in obtaining at least one of a good and service (page 4, paragraph 0046).

Claim 8, identifying a debt owner's amount of the portion collected, wherein the debt owner's amount is the amount of the portion that is to be provided to a service provider to whom the unpaid debt is owed; and identifying a collection entity's amount of the portion collected, wherein the collection entity's amount is to be provided to an entity that performed the debt collection procedures (page 4, paragraph 0057 thru page 5, paragraph 0058).

Claims 9 and 10, determining whether one or more letter-writing vouchers are desired and if the vouchers are desired, subtracting a payment for the vouchers from the debt owner's amount prior to providing the debt owner's amount to the service provider to whom the unpaid debt is owed (page 4, paragraph 0057 thru page 5, paragraph 0058).

Regarding independent claim 11, Siegel discloses a method for advancing the presentation of unpaid debts for collection, the method comprising the steps for: certifying an

individual to receive a reward for providing at least one in a series of unpaid debts to a collection entity, wherein the reward includes one or more non-monetary incentives (page 4, paragraphs 0046-0048); providing the reward to the certified individual upon providing the unpaid debt to the collection agency (page 4, paragraph 0046-0048).

Claim 12, certifying comprises the step for providing education relating to at least one of debt collection and an incentive program that includes the non-monetary incentives (page 1, paragraph 0003 and page 4, paragraphs 0046-0048).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al. (hereinafter Siegel) U.S. Publication 2002/0046049 in view of Wind, U.S. Reissue RE 37,730.

Claim 18, Siegel teaches a method for encouraging the presentation of a series of unpaid debts to a collection agency for pursuing collection on the unpaid debts, the method comprising the steps for: providing a debt collection service (page 2, paragraph 0028); receiving a request to perform the debt collection service to collect on an unpaid debt (page 2, paragraph 0028); determining whether to allocate a reward in connection with the request (page 4, paragraphs 0046-0048); collect at least a portion of the unpaid debt (page 4, paragraph 0057). Siegel fails to teach charging a flat fee and recovering at least a portion of the flat fee from the unpaid debt. Wind teaches a computer method for collecting money which charges a flat fee for the collection (column 5, line 38-55 and column 6, lines 40-67). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Siegel and include the flat fee teachings of Wind because it is another method of charging for a service, which Siegel already performs, when collecting on unpaid debts.

Claim 19, debt collection service requires at least a minimum number of requests to be received over a period of time (page 2, paragraph 0028).

10. Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al. (hereinafter Siegel) U.S. Publication 2002/0046049.

Claim 7, Siegel teaches non-monetary rewards and incentives. Siegel fails to specify frequent flyer miles. Official Notice is taken that accumulating a reward during a financial transaction and applying it to frequent flyer miles is old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Siegel and include frequent flyer miles as a credit because they are common forms of rewards in financial transactions, in credit cards for example.

Claim 23, Siegel teaches the debt collection may be implemented on the Internet. Siegel fails to teach that a link is used to automatically receive the request to collect on the unpaid debt. Official Notice is taken that the use of links on the Internet is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Siegel and include links to collect on the unpaid debt because it provides for easy navigation to use a medium such as the Internet, which Siegel is already utilizing, to aid in the collection of unpaid debts.

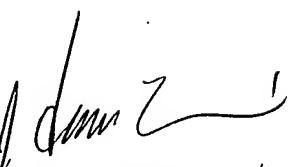
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted  
Stefano Karmis  
07 June 2005



HANI M. KAZIMI  
PRIMARY EXAMINER